



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/134,270	08/14/1998	TAKASHI TSURUMOTO	SONYJP-3.0-0	7799
530	7590	12/29/2003	EXAMINER	
LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			LONSBERRY, HUNTER B	
			ART UNIT	PAPER NUMBER
			2611	
DATE MAILED: 12/29/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/134,270	TSURUMOTO, TAKASHI
	Examiner	Art Unit
	Hunter B. Lonsberry	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 February 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 13-47 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 August 1998 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,850,218 to LaJoie in view of U.S. Patent 6,215,530-B1 to Wasilewski.

Regarding claims 13-15 and 20, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line 14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be

transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claim 16, LaJoie discloses in Figure 5, a description information section 125 that contains a plurality of messages.

Regarding claim 17, LaJoie discloses in Figure 5, a split parameter table 107, which identifies a corresponding section within a first data table.

Regarding claim 18, LaJoie discloses that the second table identifies an attribute of the message (column 16, lines 52-67).

Regarding claim 19, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table, which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 21-24, LaJoie discloses in Figure 5 a video parameter table 105, which identifies the sources for a number of streams stream. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted

on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claim 25-28 and 32, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie discloses that the IPG and other messages are received via out of band tuner 42 via headend 2, and from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line 14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claim 29, LaJoie discloses in Figure 5, a split parameter table 107, which identifies a corresponding section within a first data table.

Regarding claim 30, LaJoie discloses that the second table identifies an attribute of the message (column 16, lines 52-67).

Regarding claim 31, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table, which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 33-36, LaJoie discloses in Figure 5 a video parameter table 105, which identifies the sources for a number of streams stream. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claims 37-39, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the

Art Unit: 2611

data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie discloses that the IPG and other messages are received at the STB 6 via out of band tuner 42 via headend 2, and from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line 14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claim 40, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table, which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 41-42, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second

table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie also discloses a CPU 30 inside of set top box 6, which is used to read the table and IPG data (column 13, lines 22-50). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line 14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Regarding claim 43, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table, which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 44-47, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the

data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie also discloses a CPU 30 inside of set top box 6 which is used to read the table and IPG data from memory 32 (column 13, lines 22-50), IPG and other messages are received at the STB 6 via out of band tuner 42 via headend 2, and from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Wasilewski discloses that NIT (Network information) tables, PAT (program association tables) and PMT (program map) tables are carried in transport streams, when a user desires to view a new program, the already received NIT is looked up to read packets to retrieve a PMT and PAT table in order to facilitate tuning to a specific program, composite channels may carry programs from a number of different actual channels (Figure 1, column 3, lines 26-column 4, line 14, line 48-column 5, line 14, line 58-column 6, line 11, column 7, lines 47-60, column 9, lines 37-59). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to minimize the amount of storage required to store the tables and to enable the use of a composite channel.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,864,358 to Suzuki: Method for Switching Programs in Digital Broadcasting and Digital Broadcast Receiving Apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

HBL